

House File 106 - Introduced

HOUSE FILE 106

BY HEDDENS

A BILL FOR

1 An Act relating to the treatment of benefits for individuals
2 committed to certain public institutions including medical
3 assistance, social security, and supplemental security
4 income benefits.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **249A.38 Committed individuals —**
2 **suspension or termination of medical assistance — reapplication**
3 **for social security and supplemental security income.**

4 1. The medical assistance benefits of an individual who
5 received medical assistance immediately prior to commitment
6 to a public institution by reason of an arrest or charge
7 for or conviction of a crime, may be suspended rather than
8 terminated for the initial twelve-month period of commitment if
9 the individual was eligible for medical assistance by reason
10 of disability or being sixty-five years of age or older.

11 Following the initial twelve-month period of commitment, such
12 benefits may be terminated.

13 2. The entity with control of the public institution to
14 which an individual specified under subsection 1 is committed
15 shall work with the department to develop a process for all of
16 the following:

17 a. Notifying the department of the date an individual who
18 may be eligible for suspension of medical assistance enters the
19 public institution.

20 b. Notifying the department of any changes that may affect
21 the individual's eligibility for medical assistance during the
22 time the individual is committed to the public institution.

23 c. Assisting the department in the medical assistance review
24 process as part of the individual's discharge planning prior to
25 release of the individual in order to provide the individual
26 with continued medical coverage.

27 3. The entity with control of the public institution to
28 which an individual specified under subsection 1 is committed
29 shall work with the department to develop a process for the
30 individual to apply or reapply for supplemental security income
31 or social security as part of the individual's discharge
32 planning if the entity determines that the individual may be
33 eligible for such benefits.

34 4. For the purposes of this section, "*public institution*"
35 means a public institution, as defined in 42 C.F.R. § 435.1010,

1 to which an individual is committed by reason of arrest or
2 charge for or conviction of a crime.

3 5. This section applies to individuals as specified in
4 subsection 1 on and after October 1, 2009.

5 EXPLANATION

6 This bill provides for the suspension rather than
7 termination of medical assistance benefits of a person who
8 received medical assistance benefits immediately prior to
9 commitment to a public institution, during the initial 12-month
10 period of commitment. Following the initial 12-month period of
11 commitment, such benefits may be terminated. Additionally, the
12 bill requires the entity with control of the public institution
13 or facility to which the individual is committed to work with
14 the department of human services to develop a process to
15 maximize the individual's ability to continue medical coverage
16 and other benefits including supplemental security income and
17 social security.